UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,769	02/03/2004	Patrice Onno	01807.101359.	9287

5514   7590   10/29/2008
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EXAMINER
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ART UNIT	PAPER NUMBER
2624	

MAIL DATE	DELIVERY MODE
10/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/769,769	ONNO ET AL.
	Examiner	Art Unit	
	MEHDI RASHIDIAN	2624	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *16 July 2008*.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) *13-20,22,24 and 26* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12,21,23 and 25* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *03 February 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Applicant's arguments with respect to **claims 1-12, 21, 23, and 25** have been

considered in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
> matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
> conditions and requirements of this title.

3.   Claim **1** is rejected under 35 U.S.C. 101 as not falling within one of the four

statutory categories of invention. While the claims recite a series of steps or acts to be

performed, a statutory "process" under 35 U.S.C. 101 must (1) be tied to another

statutory category (such as a particular apparatus), or (2) transform underlying subject

matter (such as an article or material) to a different state or thing. The instant **claim 1**

neither transform underlying subject matter nor positively tie to another statutory

category that accomplishes the claimed method steps, and therefore do not qualify as a

statutory process. Examiner recommends insertion of phrase "**using a (at least a)**

processor (or computer) to perform the steps of: line 2 after "comprises;" and before

"digital data".

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

5.   **Claim 1** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite
for failing to particularly point out and distinctly claim the subject matter which applicant
regards as the invention. Claim 1 line 9 "selecting a data block in one of the
compressed signals" is indefinite and one of the skilled in the art is unable to identify the
intended "signal".

Claim 1 recites the limitation "the other compressed signal" in line 10. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a

foreign country or in public use or on sale in this country, more than one year prior to

the date of application for patent in the United States.

7.   **Claims 1-12, 21, 23, and 25** are rejected under 35 U.S.C. 102(b) as being

anticipated by Berthelot, Bertrand, et al (EP 0 982 931 A1) henceforth referred to as

Berthelot.

Regarding **claim 1**, Berthelot teaches, a method of forming a compressed transcoded digital image signal from a compressed original digital image signal which comprises digital data organized in blocks, (abstract, figs. 1 and 4, ¶ 0001 - ¶0011),

- the compression of the original signal comprising at least one step of spatio-frequency transformation of this signal and a step of coding the data blocks of said transformed signal, wherein the method comprises the following steps: - selecting a data block in one of the compressed signals, (fig. 5 and 6, ¶ 0064 - ¶0072),

- identifying, in the other compressed signal, a so-called dual data block which corresponds to the data block selected having regard to a given geometric transformation applied to this block, (¶ 0073 - ¶0079),

- decoding the data block belonging to the compressed original signal, - applying the given geometric transformation to the data block thus decoded, (¶ 0089 - ¶0099),

- coding the geometrically transformed data block, (fig. 5 and 6, ¶ 0064 - ¶0072),

- inserting the first data block thus coded in the compressed transcoded
  image signal at the position of its dual block, (¶ 0146 - ¶0155).

Regarding **claim 2**, Berthelot teaches , the method according to Claim 1, wherein the

selection of a block is made in the compressed transcoded digital image signal,

(abstract, figs. 1 and 4, ¶ 0001 - ¶0011).

Regarding **claim 3**, Berthelot teaches, the method according to Claim 1, wherein the

selection of a block is made in the compressed original digital image signal, (¶ 0008 -

¶0011).

Regarding **claim 4**, Berthelot teaches, the method according to **Claim 1**, wherein the

compressed transcoded digital image signal is formed progressively as each coded

data block is inserted in this signal, (figs. 1 and 4, ¶ 0001 - ¶0011).

Regarding **claim 5**, Berthelot teaches, The method according to **Claim 1**, wherein the

given geometric transformation is selected from amongst a set of transformations

comprising a vertical axis reflection SV, a horizontal axis reflection SH, a transposition

TR and a combination of transformations formed from at least two of the

aforementioned three transformations SV, SH, TR. (abstract, figs. 5 and 6, table 1, ¶

0081 - ¶0088).

Regarding **claim 6**, Berthelot teaches, the method according to **Claim 1**, wherein, when the compression of the original signal comprises, prior to the coding, a step of decomposition of said signal into frequency sub-bands, said method comprises a step of identifying the frequency sub-band to which the dual data block which depends on the given geometric transformation belongs, (figs. 1 and 4, ¶ 0001 - ¶0011).

Regarding **claim 7**, Berthelot teaches, the method according to **Claim 5**, wherein the compression of the original signal comprises, prior to the coding, a step of decomposition of said signal into frequency sub-bands, said method comprises a step of identifying the frequency sub-band to which the dual data block which depends on the given geometric transformation belongs, and when the geometric transformation applied to the decoded data block involves a transposition TR, if the data block of the first compressed signal belongs to a frequency sub-band LH having low-frequency coefficients in a first direction and high-frequency coefficients in a second direction, then the dual data block of the second compressed signal belongs to the frequency sub-band (HL) having high-frequency coefficients in the first direction and low- frequency coefficients in the second direction, and vice-versa, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

Regarding **claim 8**, Berthelot teaches, the method according to **Claim 5**, wherein, when the given geometric transformation is selected from amongst a subset of transformations comprising a transposition TR, a combination of a transposition and a

vertical axis reflection TR o SV, a combination of a transposition and a horizontal axis reflection TR o SH, a combination of a transposition, a horizontal axis reflection and a vertical axis reflection TR o SH o SV, said transformation is applied an even number of times, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

Regarding **claim 9**, Berthelot teaches, the method according to **Claim 1**, wherein the identification of the dual data block in the other compressed signal consists of seeking, in this signal, the position which the data block corresponding to the first compressed signal would have by applying the given geometric transformation to it, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

 Regarding **claim 10**, Berthelot teaches, the method according to **Claim 1**, wherein the selection, identification and decoding steps are performed using at least one header of the compressed original digital image signal and which comprises the various parameters characterizing the compressed image, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

Regarding **claim 11**, Berthelot teaches, the method according to **Claim 10**, wherein it comprises a step of forming at least one header of the compressed transcoded digital image signal according to the geometric transformation applied, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

Regarding **claim 12**, Berthelot teaches, the method according to **Claim 1**, wherein the

steps of selecting, identifying, decoding, transforming and coding the data blocks are

performed resolution level by resolution level of the compressed transcoded digital

image signal, (abstract, figs. 5 and 6, table 1, ¶ 0081 - ¶0088).

Regarding **claim 21**, Berthelot teaches, a device for forming a compressed transcoded

digital image signal from a compressed original digital image signal which comprises

digital data organized in blocks, (abstract, figs. 1 and 4, ¶ 0001 - ¶0011),

- the compression of the original signal comprising at least a spatio-
  frequency transformation of this signal and a step of coding the data
  blocks of said transformed signal, wherein the device comprises mean for
  selecting a data block in one of the compressed signals, (fig. 5 and 6, ¶
  0064 - ¶0072),

- means for identifying, in the other compressed signal, a so-called dual
  data block which corresponds to the data block selected having regard to
  a given geometric transformation applied to this block, (¶ 0073 - ¶0079),

- means for decoding the data block belonging to the compressed original signal, means for applying the given geometric transformation to the data block thus decoded, (¶ 0089 - ¶0099),

- means for coding the geometrically transformed data block, (fig. 5 and 6, ¶ 0064 - ¶0072),

- and means for inserting the data block thus coded in the compressed transcoded image signal at the position of its dual block, (¶ 0146 - ¶0155).

Regarding **claim 23**, a computer program for executing the steps of the method according to **claim 1**, (abstract, figs. 1 and 4, ¶ 0001 - ¶0011).

Regarding **claim 25**, a computer readable medium storing, in executable form, a computer program which can be loaded into a programmable apparatus, wherein it contains sequences of instructions or portions of software code for implementing the steps of the method according to **Claim 1**, when this computer program is loaded into and executed by the programmable apparatus, (abstract, figs. 1 and 4, ¶ 0001 - ¶0011).

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to MEHDI RASHIDIAN whose telephone number is (571)272-9763. The examiner can normally be reached on Mon-Thurs 9:00AM to 8:00PM, ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Samir Ahmed can be reached on (571) 272-7413. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mehdi Rashidian/

Examiner, Art Unit 2624

10/27/2008

/Samir A. Ahmed/

Supervisory Patent Examiner, Art Unit 2624